

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE**

FUSION ELITE ALL STARS, SPIRIT FACTOR LLC d/b/a FUEL ATHLETICS, and STARS AND STRIPES GYMNASTICS ACADEMY INC. d/b/a STARS AND STRIPES KIDS ACTIVITY CENTER, on behalf of themselves and all others similarly situated

Plaintiffs,

v.

VARSITY BRANDS, LLC, VARSITY SPIRIT, LLC, VARSITY SPIRIT FASHION & SUPPLIES, LLC, and U.S. ALL STAR FEDERATION, INC.,

Defendants.

**Civ. Action No. 2:20-cv-02600-SHL-
atc**

JURY TRIAL DEMANDED

**U.S. ALL STAR FEDERATION, INC.'S UNOPPOSED MOTION FOR LEAVE TO FILE
REPLY IN FURTHER SUPPORT OF ITS MOTION FOR PROTECTIVE ORDER**

Defendant U.S. All Star Federation, Inc. (“USASF”) moves this Court under Local Rule 7.2 for leave to file a Reply in further support of its Motion for Protective Order. In support of this Motion, USASF states as follows:

1. On May 5, 2021, USASF filed a Motion for Protective Order. (ECF No. 204). On May 19, 2021, Plaintiffs filed a Response to USASF’s Motion for Protective Order. (ECF Nos. 109, 110). Plaintiffs’ Response was twenty pages in length, and Plaintiffs also submitted 7 exhibits in connection with their Response.
2. In order to adequately respond to all of the arguments raised in Plaintiffs’ Response, and to clarify several outstanding issues for the Court, USASF respectfully requests leave to file a Reply in further support of its Motion for Protective Order, of no more than five (5) pages in length.
3. USASF’s proposed Reply is attached hereto as Exhibit A to this Motion.
4. As set forth more fully in the Certificate of Consultation, Plaintiffs do not oppose this request.

WHEREFORE, USASF respectfully requests that the Court enter an order granting this Motion and grant USASF leave to file the Reply attached hereto as Exhibit A to this Motion.

May 26, 2021

Respectfully submitted,

/s/ Nicole D. Berkowitz

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CERTIFICATE OF CONSULTATION

Undersigned counsel hereby certifies that counsel for USASF consulted with counsel for Plaintiffs by email on May 19, 2021. The Parties mutually agreed that (1) Plaintiffs would not oppose USASF's motion for leave to file a response to Plaintiffs' Motion to Compel of 23 pages; (2) USASF will not oppose a motion by Plaintiffs for leave to file a reply to their Motion to Compel of 6.5 pages; and (3) Plaintiffs would not oppose this Motion by USASF for leave to file a reply in support of USASF's Motion for Protective Order.

s/ Nicole D. Berkowitz
Nicole D. Berkowitz

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 26th day of May 2021, the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system and/or via U.S. Mail, postage prepaid, to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

s/ Nicole D. Berkowitz
Nicole D. Berkowitz